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## Central Coast Regional Water Quality Control Board

April 22, 2022

### **NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT ON DRAFT CLEANUP AND ABATEMENT ORDER NO. R3-2022-0028**

#### **APN 131-200-034, Santa Barbara County**

**Si desea obtener información en español, póngase en contacto con Monica Barricarte al  
(805) 549-3881**

**NOTICE IS HEREBY GIVEN** that the Central Coast Regional Water Quality Control Board (Central Coast Water Board) will accept written public comments on Draft Cleanup and Abatement Order R3-2022-0028 (Draft CAO) regarding California Water Code violations related to cannabis cultivation on APN 131-200-034 in Santa Barbara County.

The Central Coast Water Board is a state regulatory agency with the responsibility for protecting the quality of the waters of the state within its area of jurisdiction. The Central Coast Water Board has authority to require submission of information, direct action, establish regulations, levy penalties and bring legal action when necessary to protect water quality. California Water Code (Water Code) section 13304 provides that the Central Coast Water Board may require any person who causes or permits the discharge of waste into waters of the State (including surface water and groundwater) to clean up all waste discharged and restore the affected water to background conditions (i.e., the water quality that existed before the discharge).

The above-referenced site is situated within the jurisdiction of the Central Coast Water Board. As detailed in the Draft CAO, Christian Duarte, Leodegario Maya Nova, Gladys Maya, and Daniel Maya Noba (Dischargers) have caused or permitted waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the State, which creates, or threatens to create, a condition of pollution or nuisance.

On April 30, 2021, Central Coast Water Board staff, in coordination with other state and county agencies, conducted an inspection at 1401 Tepusquet Road, Santa Maria, Santa Barbara County (APN 131-200-034) (Site). The inspection report is available to the public upon request. During this inspection, Central Coast Water Board staff observed cannabis cultivation, land disturbance, cannabis green waste, and exposed soil piles within 100 feet of the bankfull point of an unnamed intermittent stream and within 50 feet of the bankfull point of an unnamed ephemeral stream. These distances are defined by the cannabis cultivation policy as riparian setbacks, which are established to

JANE GRAY, CHAIR | MATTHEW T. KEELING, EXECUTIVE OFFICER

protect water quality. Outside of the riparian setbacks, staff also observed cannabis cultivation, land disturbance, improper fertilizer and chemical storage, trash and debris, and improper sewage disposal.

The Draft CAO directs submittal of a site remediation plan that describes how the violations observed at the Site will be remediated, directs implementation of the site remediation plan once it is approved, requires submittal of a notice of completion after implementation of the scope of work is complete, and requires monitoring and reporting.

**Written submissions pertaining to this Draft CAO must be received by Central Coast Water Board staff no later than 5:00 p.m. on May 23, 2022.** Thereafter, staff will prepare a response to comments, recommend appropriate modifications to the Draft CAO, and submit the Draft CAO to the Executive Officer of the Central Coast Water Board for his signature to finalize the CAO. Oral hearings are rarely convened to consider CAOs. Therefore, please ensure that all evidence and comments that you wish staff and/or the Executive Officer to consider are included in your timely submittal.

If you have any questions regarding this matter, please contact **Alyssa Bucci at 805-549-3333** and [alyssa.bucci@waterboards.ca.gov](mailto:alyssa.bucci@waterboards.ca.gov) or **Arwen Wyatt-Mair at 805-542-4695** and [arwen.wyattmair@waterboards.ca.gov](mailto:arwen.wyattmair@waterboards.ca.gov).